

Application No. 10/025,037

AMENDMENTS TO THE CLAIMS

A detailed listing of all claims that are, or were, in the present application, irrespective of whether the claim(s) remains under examination in the application are presented below. The claims are presented in ascending order and each includes one status identifier. Those claims not cancelled or withdrawn but amended by the current amendment utilize the following notations for amendment: 1. deleted matter is shown by strikethrough for six or more characters and double brackets for five or less characters; and 2. added matter is shown by underlining.

1. (Currently Amended) A palatable viscous carrier ~~for ingestible substances subject to degradation by environmental factors such as oxidation, hydrolysis, or low pH~~ comprising in weight percent based upon the weight of the palatable viscous carrier:

from 4.5% to 55% vegetable oil;

from 1% to 5% fish oil; and

from 0.25% to 1.0% exogenous antioxidants,

wherein the palatable viscous carrier protects an ingestible substance from degradation by environmental factors such as oxidation, hydrolysis, or low pH.

2. (Original) The carrier as claimed in claim 1, in which the vegetable oil comprises one or more substances selected from a group consisting of canola oil, helianthus annus oil, hydrogenated vegetable oil, borage seed oil, evening primrose oil, avocado oil, sweet almond oil, canola oil, grape seed oil, jojoba oil, apricot kernal oil, safflower oil, sesame oil, hybrid safflower oil, soybean oil, sunflower seed oil, and macadamia nut oil.

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3. (Original) The carrier as claimed in claim 1, in which the fish oil comprises one or more substances selected from a group consisting of cod liver oil, tuna oil, salmon oil, and sardine oil.

4. (Original) The carrier as claimed in claim 1, in which the exogenous antioxidant comprises tocopherol.

5. (Original) The carrier as claimed in claim 4, in which the tocopherol comprises one or more substances selected from a group consisting of alpha tocopherol, beta tocopherol, gamma tocopherols and delta tocopherols.

6. (Original) The carrier as claimed in claim 1, further comprising one or more substances selected from a group consisting of flavoring, plant extracts, starches, hydrophobic polyols, and coloring agents.

7. (Currently Amended) A palatable probiotic ingestible food supplement in a viscous carrier, the food supplement comprising in weight percent based upon the weight of the palatable probiotic ingestible food supplement:

from 45% to 55% vegetable oil;

from 1% to 5% fish oil; and

from 0.25% to 1.0% exogenous antioxidants; and

from 0.1% to 5% probiotic ingredients,

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wherein the probiotic ingredients are protected from degradation by environmental factors by the viscous carrier.

8. (Original) The food supplement as claimed in claim 7, in which the vegetable oil comprises one or more substances selected from a group consisting of canola oil, helianthus annus oil, hydrogenated vegetable oil, borage seed oil, evening primrose oil, avocado oil, sweet almond oil, canola oil, grape seed oil, jojoba oil, apricot kernel oil, safflower oil, sesame oil, hybrid safflower oil, soybean oil, sunflower seed oil, and macadamia nut oil.
9. (Original) The food supplement as claimed in claim 7, in which the fish oil comprises one or more substances selected from a group consisting of cod liver oil, tuna oil, salmon oil, and sardine oil.
10. (Original) The food supplement as claimed in claim 7, in which the exogenous antioxidant comprises tocopherol.
11. (Original) The food supplement as claimed in claim 10, in which the tocopherol comprises one or more substances selected from a group consisting of alpha tocopherol, beta tocopherol, gamma tocopherols, and delta tocopherols.

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12. (Original) The food supplement as claimed in claim 7, further comprising one or more substances selected from a group consisting of flavoring, plant extracts, starches, hydrophobic polyols, and coloring agents.

13. (Original) The food supplement as claimed in claim 7, in which the probiotic ingredients comprise one or more substances selected from a group consisting of freeze-dried probiotic microorganisms, antibiotics, oil soluble, and water soluble vitamins, enzymes, salts of bioactive ingredients and polysaccharides.

14. (Original) The food supplement as claimed in claim 7, further comprising papain.

15. (Currently Amended) The food supplement as claimed in claim 7 [17], in which the probiotic ingredients is one or more substances selected from a group consisting glucosamine hydrochloride, glucosamine sulfate, and chondroitin sulfate.

16. (Original) The food supplement as claimed in claim 7, further comprising fructooligosaccharides.

17. (Original) The food supplement as claimed in claim 7, in which the probiotic ingredients comprise microorganisms.

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18. (Original) The food supplement as claimed in claim 17, in which the microorganisms comprise one or more selected from a group consisting of lactobacillus acidophilus, lactobacillus rhamnosus, enterococcus faecium, lactobacillus helveticus, and lactobacillus plantarum.

19. (Currently Amended) A method for preparing an ingestible, viscous dietary supplement containing delivering probiotic substances ~~utilized in dietary supplements to an intestinal tract,~~ the method comprising the steps of:

heating and mixing natural occurring ingestible oils comprising vegetable oils and fish oils until a resulting mixture is clear and homogeneous;

cooling said resulting mixture to a viscous state and to a temperature that will not harm the probiotic substances;

adding the probiotic substances to the cooled mixture and mixing such that the probiotic substances are coated with the cooled mixture whereby [an] the ingestible, viscous dietary supplement is produced and the probiotic substances are protected from degradation by environmental factors such as oxidation, hydrolysis, or low pH.

20. (Original) The method as claimed in claim 19, in which the vegetable oils are selected from a group consisting of canola oil, helianthus annus oil, hydrogenated vegetable oil, borage seed oil, evening primrose oil, avocado oil, sweet almond oil, canola oil, grape seed oil, jojoba oil, apricot kernal oil, safflower oil, sesame oil, hybrid safflower oil, soybean oil, sunflower seed oil, and macadamia nut oil.

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21. (Original) The method as claimed in claim 19, in which the fish oils comprise one or more substances selected from a group consisting of cod liver oil, tuna oil, salmon oil, and sardine oil.

22. (Original) The method as claimed in claim 19, further comprising the step of adding one or more substances selected from a group consisting of flavoring, plant extracts, starches, hydrophobic polyols, and coloring agents.

23. (Original) The method as claimed in claim 19, in which the probiotic substances comprise one or more substances selected from a group consisting of freeze-dried probiotic microorganisms, antibiotics, oil soluble, and water soluble vitamins, enzymes, salts of bioactive ingredients, and polysaccharides.

24. (Original) The method as claimed in claim 19, in which the probiotic substances comprise one or more substances selected from a group consisting glucosamine hydrochloride, glucosamine sulfate, and chondroitin sulfate.

25. (Original) The method as claimed in claim 19, in which the probiotic substances comprise one or more microorganisms selected from a group consisting of lactobacillus acidophilus, lactobacillus rhamnosus, enterococcus faecium, lactobacillus helveticus, and lactobacillus plantarum lactobacillus acidophilus, lactobacillus rhamnosus, and lactobacillus plantarum.